

The Gazette



of India

EXTRAORDINARY

PART II—Section 2

PUBLISHED BY AUTHORITY

No. 43] NEW DELHI MONDAY, SEPTEMBER 28, 1964/ASVINA 6, 1886

Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bill was introduced in Lok Sabha on the 28th September, 1964:—

BILL No. 70 OF 1964

A Bill further to amend the Provisional Collection of Taxes Act, 1931.

BE it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Provisional Collection of Taxes (Amendment) Act, 1964. Short title
and com-
mencement

5 (2) This Act shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

16 of 1931. 2. In sections 4 and 5 of the Provisional Collection of Taxes Act, 1931, for the words "sixtieth day", wherever they occur, the words "seventy-fifth day" shall be substituted. Amendment
of sections 4
and 5.

STATEMENT OF OBJECTS AND REASONS

Whenever a Bill proposing *inter alia* certain impositions or increases in customs and/or excise duties is introduced in Parliament, by virtue of a declaration appended to the Bill under the Provisional Collection of Taxes Act, 1931, such impositions or increases are provisionally brought into force from the day immediately following the day on which the Bill is introduced. The authority for such provisional collection of the new or enhanced duties derived from this declaration lapses on the expiry of sixty days. This makes it necessary for any such Bill to be enacted into law within the said period, if provisional collection is not to come to a stop and all duties provisionally collected are not to become refundable. In the recent years it has been felt that the time provided for such provisional collection of the duties proposed to be imposed or enhanced is not always adequate for a full and careful consideration particularly for the Finance Bill by both the Houses of Parliament before it is enacted into law. It is, therefore, proposed that the time-limit be increased from sixty days to seventy-five days.

NEW DELHI;

T. T. KRISHNAMACHARI.

*The 15th September, 1964.*PRESIDENT'S RECOMMENDATION UNDER ARTICLES 117 AND
274 OF THE CONSTITUTION OF INDIA

[Copy of letter No. 2/10/64-CX-I, dated the 19th September, 1964 from Shri T. T. Krishnamachari, Minister of Finance to the Secretary, Lok Sabha.]

The President having been informed of the subject matter of the proposed Bill further to amend the Provisional Collection of Taxes Act, 1931 recommends under articles 117(1), 117(3) and 274(1) of the Constitution the introduction and consideration of the Bill in the Lok Sabha.

FINANCIAL MEMORANDUM

This Bill merely seeks to extend the period of validity from sixty days to seventy-five days of certain provisions imposing or increasing certain duties in respect of which a declaration is made under the Provisional Collection of Taxes Act, 1931. Whether by this extension any expenditure will be involved from the Consolidated Fund of India or not will depend upon the provisions of the Bill in respect of which such declaration is made and if such expenditure is involved, the Financial Memorandum attached to that Bill will set out the details thereof. It is not, therefore, possible to indicate at this stage the quantum of expenditure, if any, which may be involved by mere extension of the period of validity of a declared provision.

S. L. SHAKDHER,
Secretary.

